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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,490

04/06/2005

Yoshihiro Takagi

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EXAMINER

YU, XIANG

ART UNIT

PAPER NUMBER

2445

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,490	<b>Applicant(s)</b> TAKAGI, YOSHIHIRO	
	<b>Examiner</b> XIANG YU	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Remarks/Arguments*

1. This Office Action is in response to the communications for the present US application number 10/530,490 last filed on August 20<sup>th</sup>, 2009, where claims 1-7 are pending and have been examined.

2. Drawing from our last interview on August 13<sup>th</sup>, 2009, the applicant's representative and the examiner went over the broad interpretations of "network addresses" as supported in the specifications (page 14, lines 13-20). Furthermore, we also discussed about how *Machida* discloses of IP addresses of the client devices and has portrayed output ports for the peripheral devices as a form of network address (e.g. Figure 3).

Upon further examination, *Machida* has been found to disclose of more specifically targeting the peripheral devices and wherein each of the ports are associated with an IP address as well (e.g., *Machida*: paragraph [0093] and Figures 32 and 33).

In addition, *Sabbagh* has also been introduced, which focused more on being able to directly locate the peripheral devices themselves and bypassing the printer spooler, without having to go through the associate client devices (i.e., personal computers).

In addition, as previously mentioned during the interview, aspects of the conversion module element found within the specification (e.g., page 14, lines 13-20)

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related to network address issue, are noted to be rather unique to this particular invention and are not found within the claim language.

See the new claim rejections for further clarifications with added emphasize on the points previously disclosed. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. **Claims 2 and 4** are objected to because of the following informalities:

- As to **claims 2 and 4**, claim language related to the general network address information should be amended in similar fashion to IP address information, to remain focused and consistent with the independent claims.

Appropriate corrections are required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. US 2002/0083431 A1 to *Machida, Haruo* ("*Machida*") in view of U.S. Patent No. US 6,814,510 B1 to *Sabbagh et al.* ("*Sabbagh*").

As to **claim 1**, *Machida* does not fully disclose of **an information processing method executed in an information processing apparatus which distributes across a network a printer driver program for controlling a printing device to a client apparatus for managing the printing device, said method comprising:**

**a designation step of designating range information for searching for a printing device connected to the network** (*Machida* discloses of various ranges or domains are designated and the client units (i.e., personal computers, inkjet printers, digital cameras, copy machines with printing functions, etc...) found within those domains can get their driver updates if needed, e.g., *Machida*: paragraphs [0071-72], [0083], and Figures 4, 5, and 7);

**a search step of searching for the printing device which is controlled by installing the printer driver program to the client apparatus** (*Machida* discloses of wherein within a selected (designated) domain (or range), all the readily available PCs along with their peripheral devices can be searched, found, and displayed through a graphical interface (e.g., *Machida*: paragraphs [0074], [0078], [0093] and Figures 4, 5, and 7). By locating the personal computer, it would also mean locating the attached printer device(s) and other peripheral devices (e.g., *Machida*: Figure 5, domain of "MY PC" with elements 503d-j). Those that require driver updates with this selected domain would be selected and further steps would ensure that they get the updates (e.g., *Machida*: paragraph [0083] and Figure 7).

In addition, *Sabbagh* more expressly discloses of being able to directly circumventing operating system printer spoolers and having the printer drivers directly accessing and obtaining the printers with their associated IP addresses for updating (e.g., *Sabbagh*: column 2, lines 30-34).

*Machida* and *Sabbagh* are analogous art because they are in the same field of endeavor with respect to managing and updating printer drivers.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate *Sabbagh*'s concept of directly accessing the printers themselves and being able to locate and track them through the use of IP addresses within *Machida*'s overall concept of managing and updating drivers for all sorts peripheral devices within a network. One skilled in the art would be motivated to combine them and see the benefits and flexibility it offers with being able to directly locate (by IP address), access, and update the printer drivers of the peripheral printer devices, leading towards efficiency, by being able to bypass certain printer spoolers, and flexibility, working across different operating systems or architectures;

**a determination step of determining whether or not the printing device searched in the search step has an IP address within the range information designated in the designated step** (*Machida* discloses of an installation process wherein the selected printers are identified through the port information, which have corresponding IP addresses, e.g., *Machida*: paragraph [0093] and Figures 32 and 33).

In addition, once again, *Sabbagh* more expressly discloses of being able to directly access and update the printers directly by locating with IP addresses (e.g., *Sabbagh*: column 2, lines 30-34).

See the previously stated reasons for combining *Machida* and *Sabbagh*; **and**

**a distribution step of distributing a printer driver program, from the information processing apparatus to the client apparatus, for managing the printing device determined in the determination step as the printing device having the IP address within the range information designated in the designation step** (*Machida* discloses of distributing the device driver information that controls the peripheral client devices, after incorporating all the previous steps of determining all the devices within a range or domain and given the driver information which includes the IP addresses of each device (e.g., *Machida*: paragraphs [0072-73] and [0093] and Figures 5, 32, and 33).

As to **claim 2**, *Machida* further discloses **the method according to claim 1, further comprising an acquisition step of acquiring address information of the printing device on the basis of data obtained by the result of search of the printing device in the search step** (the steps of searching and acquiring address information are best disclosed and portrayed through the illustrations. Figure 3 definitely portrays the IP address of the client device with related peripheral devices (i.e., printers, scanners, etc...). Figures 4 and 5 further

displays embodiments of various clients and their attached, associated peripheral devices found within a selected domain or range. In addition, Figures 33, more clearly portrays how peripheral devices with an output port is equivalent to having some specific IP address which can be addressed, e.g., *Machida*: paragraph [0093] and Figure 33),

**wherein the distribution step performs the distribution process by using the address information acquired in the acquisition step** (after acquiring all that information, the drivers can easily be distributed to the client peripheral devices).

As to **claim 3**, *Machida* further discloses **the method according to claim 1, further comprising a recognition step of recognizing a preparation completion notification indicating that an accepting module which is activated in the client apparatus as a transfer destination of the printer driver program and receives the printer driver program is prepared,**

**wherein the distribution step distributes the printer driver program in response to recognition of the preparation completion notification in the recognition step** (the information processing unit comprises of recognizing means for recognizing setup instruction(s) and driver information. In addition, there are program managing means for distributing or installing the driver information on the client units that control the peripheral devices (i.e. printers,



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scanners, etc.) all in response to recognizing the initial setup instruction(s), e.g., *Machida*: paragraphs [0019-0020]).

As to **claim 4**, *Machida* further discloses **the method according to claim 2, wherein the acquisition step acquires network address information corresponding to the range information for search, on the basis of data obtained by the result of search of the printing device** (the acquired data would contain relevant information about the various peripheral device(s) (i.e., output port information for printers or scanners, wherein the port information further is associated or easily translates into an IP address) connected to the client personal computer within the network, e.g., *Machida*: Figures 3 and 33).

As to **claim 5**, *Machida* further discloses **the method according to claim 1, wherein the range designated to search for the printing device is designated for each domain, each OU (Organization Unit) in a directory service, or each IP address** (the unit of the range is designated by domains, and each client device with their associated peripheral devices found would each have a related IP address, e.g., *Machida*: paragraphs [0072-73], [0093] and Figures 3 and 33).

As to **claims 6 and 7**, see the similar rejection of claim 1.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIANG YU whose telephone number is (571)270-5695. The examiner can normally be reached on Monday - Friday 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272 - 7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/X. Y./

Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445